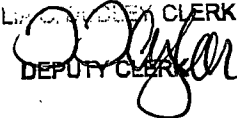


IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

APR 17 2015

JULIA A. GIBSON, CLERK
BY: 
DEPUTY CLERK

BRANDON BAILOUS,

Plaintiff,

v.

SGT. WILSON, et al.,

Defendants.

Civil Action No. 7:15CV00151

MEMORANDUM OPINION

By: Hon. Glen E. Conrad
Chief United States District Judge

Brandon Bailous, a Virginia inmate proceeding pro se, filed a civil rights complaint under 42 U.S.C. § 1983 in the United States District Court for the Eastern District of Virginia. That court docketed the action on March 24, 2015, but transferred the case here on April 6, 2015, because the events of which Bailous complains occurred within this court's jurisdiction. By its order entered that same day, the court advised plaintiff, among other things, that a failure to update a mailing address after a transfer or release from incarceration would result in dismissal of this action.

The copy of the April 6 order that was mailed to plaintiff at the jail address he provided has been returned as undeliverable, with a notation indicating that plaintiff is no longer at the jail and officials cannot forward his mail. Records online indicate plaintiff was released in April, and he has not contacted the court since he filed the case. Therefore, the court finds that plaintiff has failed to prosecute this action, pursuant to Federal Rule of Civil Procedure 41(b), and dismisses the action without prejudice and denies all pending motions as moot. See Ballard v. Carlson, 882 F.2d 93, 96 (4th Cir. 1989) (stating pro se litigants are subject to time requirements and respect for court orders and dismissal is an appropriate sanction for non-compliance); Donnelly v. Johns-Manville Sales Corp., 677 F.2d 339, 340-41 (3d Cir. 1982) (approving sua sponte dismissal of action under Rule 41(b)).

ENTER: This 17th day of April, 2015.



Chief United States District Judge